IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2393 OF 2005

Shri Pandurang Balu Bore . .. Petitioner.

vs.

Shri Pandurang Yashwant

Darave. .. Respondents.

Mr. B.A. Jagoje for petitioner.

Mr. S.S. Vidyarthi for respondent no.3.

CORAM : S.U. KAMDAR, J.

DATE : 28th November, 2005.

P.C.:

. The impugned order dated 18.1.2005 inter alia rejecting the application for compensation due to permanent injury is challenged before me in this writ petiton. The said order states that the petitioner has failed to furnish the details of compensation amount claimed. I am of the opinion that the petitioner should have been given an opportunity to furnish the necessary details of expenditure and the order could not have been passed rejecting the application without such an opportunity being afforded to the petitioner. In

the aforesaid circumstances, the order dated 18.1.2005 is set aside. The Matter is remanded back to the Motor Accident Claims tribunal, Kolhapur with the direction that the petitioner to submit the details of expenditure within a period of two weeks from today and on such details being furnished, the matter be heard and decided on merits. The petition is disposed of accordingly. No order as to costs.